IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9399 OF 2003

Shri N.D. Akolkar . .. Petitioner.

vs.

Shri Sadguru Narayan

Maharaj Datta Sanstha & Ors. .. Respondents.

Mr. P.B. Shah for petitioner.

Mr. N. P. Deshpande for respondent no.2.

Mr. Neel Helekar for R. No. 8.

CORAM : S.U. KAMDAR, J.

DATE : 12th December, 2005.

P.C.:

. The present petition challenges the order passed by the Joint Charity Commissioner inter alia holding that he has no jurisdiction to decide an application for revocation of permission under Section 36 of the Bombay Public Trusts Act, 1950 because the permission is worked out and the sale deed has already been executed. He has observed that the petitioner is at liberty to file a suit. I am of the view that the observations are correct. The petitioner is at liberty to file a civil suit

but in this application the Charity Commissioner has no power to revoke the permission which has already been worked out. In that view of the matter, I am of the opinion that there is no substance in the petitioner. Petition dismissed. No order as to costs. All contentions raised before the authority in the impugned order are expressly kept open.